IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Modak *et al.*

Appln. No.: 10/600,257 Examiner : Carlos Azpuru

Filed : June 20, 2003 Group Art Unit: 1615

For : ANTIMICROBIAL MEDICAL DEVICES

Customer No. : 21003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

I hereby certify that this paper is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

September 7, 2005
Date of Deposit

Van Nguyen — 56,571
Attorney Name — Patent Reg. No.

Signature — September 7, 2005
Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In further supplement to the Information Disclosure Statement filed on March 21, 2005, and pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants respectfully request that the information presented in this Supplemental Information Disclosure Statement and on the accompanying PTO Form PTO 1449 be considered by the Examiner and made of record in the above-captioned application.

The following information is presented by Applicants:

On April 17, 2000, which is prior to the December 22, 2000 filing date of the present application (Serial No. 09/746,670), a triple lumen catheter was sold by the licensee, Arrow Incorporated, in the United States. This catheter had an outer coating prepared using a solution containing three percent (3%) weight by volume (w/v) of chlorhexidine diacetate and 0.75 percent w/v silver sulfadiazine. The catheter had an inner lumen coating prepared using a solution containing the solvent ethanol, 0.75 percent (0.75%) w/v chlorhexidine free base, and 0.75 percent (0.75%) w/v chlorhexidine diacetate. This information was previously submitted.

Now, in addition to that information, Applicants provide additional information regarding the first sale by licensee, namely (1) a print out from licensee Arrow's database, which indicates that the date of first sale was April 17, 2000; and (2) a March 8, 2000 Food and Drug Administration 510(k) Premarket Notification letter, which demonstrates that the article could not have been sold prior to March 8, 2000, which is within a year of the claimed priority date, December 22, 2000. A PTO 1449 form listing this information is attached.

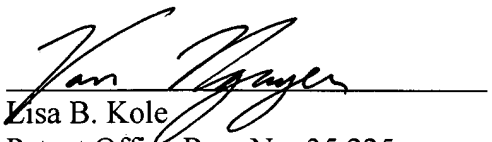
The submission of this Supplemental Information Disclosure Statement does not constitute an admission that any information presented herein is material or constitutes "prior art." Indeed, Applicants reserve the right to show to the U.S. Patent and Trademark Office that the pending claims are patentable under United States law in view of information presented herein.

This Supplemental Information Disclosure Statement is being filed together with a Request for Continued Examination in lieu of payment of the Issue Fee, which is due today. As the required fee for the Request for Continued Examination is submitted herewith, no additional fee is believed to be due for the submission of this Supplemental Information Disclosure

Statement. Should any additional fee be required, however, the Commissioner is authorized to charge any such fee to Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.



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Enclosure

Form PTO-1449 (Rev. 2-32) U.S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. A33432-A PCT USA-A (070050.1354)	APPLICATION NO. 10/600,257
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use several sheets if necessary)	APPLICANT MODAK ET AL.	
	FILING DATE JUNE 20,2003	GROUP ART UNIT 1615

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Inventor Name	Class	Sub-class	Filing Date (if appropriate)

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Sub-class	Translation

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initial		Document Description
		Printout from licensee Arrow's database
		March 8, 2000 Food and Drug Administration 510(k) Premarket Notification letter

EXAMINER	**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.